# No. 74

# MICHIGAN HOUSE OF REPRESENTATIVES

# DAILY CALENDAR

THURSDAY, SEPTEMBER 24, 1998 10:00 a.m.

#### MOTIONS AND RESOLUTIONS

# HCR 93 Rep. Prusi

A concurrent resolution to extend the K.I. Sawyer Air Force Base Conversion Authority.

(For text of resolution, see House Journal No. 32, p. 613.)

(Discharged from committee; postponed temporarily July 1.)

#### MESSAGES FROM THE SENATE

2

# HB 4210 Rep. Wetters

Vehicles; equipment; ignition interlock device; require installation of in vehicles of certain individuals.

Amends secs. 204a, 322, 625b, 625h, 625k & 625*l* of 1949 PA 300 (MCL 257.204a et seq.) & adds secs. 622a, 625n, 625o & 625p.

(Returned from Senate with substitute (S-3); laid over 1 day September 22.)

(I.E. House, January 28, 1998.)

(For House substitute (H-7), see Blue Book.)

(For Senate substitute (S-3), see Blue Book.)

- 3 -

# HB 4576 Rep. Hanley

Traffic control; driver license; renewal of driver license for individuals with outstanding bench warrants; prohibit. Amends sec. 303 of 1949 PA 300 (MCL 257.303).

(Returned from Senate with substitute (S-2); laid over 1 day September 22.)

(I.E. House, July 1, 1998.)

(For House substitute (H-3), see Blue Book.)

(For Senate substitute (S-2), see Blue Book.)

4

#### HB 4959 Rep. Fitzgerald

Crimes; drunk driving; third conviction for any combination of drunk driving offenses; provide for penalty and sanctions commensurate with third OUIL conviction.

Amends secs. 5a, 8a, 44a, 258, 319, 319b, 625, 625b & 625m of 1949 PA 300 (MCL 257.5a et seq.) & adds secs. 23b & 204b.

(Returned from Senate with substitute (S-2); laid over 1 day September 22.)

(I.E. House, July 1, 1998.)

(For House substitute (H-2), see Blue Book.)

(For Senate substitute (S-2), see Blue Book.)

#### \*Appropriation Bill—House Rule 49. †Constitution, Art. IV, Sec. 26. #House Rule 49.

#### MESSAGES FROM THE SENATE

5

# HB 4960 Rep. Perricone

Crimes; drunk driving; penalties for certain alcohol and drug-related driving offenses; increase and provide for vehicle immobilization and forfeiture.

Amends secs. 303, 321a, 625a, 625i & 625n of 1949 PA 300 (MCL 257.303 et seq.) & adds secs. 904c, 904d, 904e, 904f, 904g & 915.

(Returned from Senate with substitute (S-3); laid over 1 day September 22.)

(I.E. House, July 1, 1998.)

(For House substitute (H-2), see Blue Book.)

(For Senate substitute (S-3), see Blue Book.)

6

# HB 4961 Rep. Godchaux

Traffic control; driver license; immobilization of vehicle for operating without a license and issuance of restricted registration plates; allow.

Amends secs. 217, 219, 233, 732 & 904 of 1949 PA 300 (MCL 257.217 et seq.) & repeals sec. 904b of 1949 PA 300 (MCL 257.904b).

(Returned from Senate with substitute (S-3); laid over 1 day September 22.)

(I.E. House, July 1, 1998.)

(For House substitute (H-1), see Blue Book.)

(For Senate substitute (S-3), see Blue Book.)

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#### **HB** 5122 Rep. Freeman

Traffic control; driver license; individuals who drive while license is revoked and cause serious impairment of a body function of another person; increase penalties.

Amends sec. 904 of 1949 PA 300 (MCL 257.904) & adds sec. 904d.

(Returned from Senate with substitute (S-2); laid over 1 day September 22.)

(I.E. House, June 18, 1998.)

(For House substitute (H-2), see Blue Book.)

(For Senate substitute (S-2), see Blue Book.)

8

#### **HB** 5123 Rep. Crissman

Traffic control; driver license; individuals driving while license is suspended who cause death of another person; increase penalties.

Amends sec. 904 of 1949 PA 300 (MCL 257.904) & adds sec. 904c.

(Returned from Senate with substitute (S-2); laid over 1 day September 22.)

(I.E. House, June 18, 1998.)

(For House substitute (H-2), see Blue Book.)

(For Senate substitute (S-2), see Blue Book.)

#### MESSAGES FROM THE SENATE

— 9 —

#### **HB 5951** Rep. Mans

Crimes; drunk driving; blood, breath, or urine alcohol level for operating a vehicle; reduce.

Amends secs. 8a, 44a, 303, 625, 625a, 625c, 625g & 625m of 1949 PA 300 (MCL 257.8a et seq.) & adds sec. 23h

(Returned from Senate with substitute (S-3); laid over 1 day September 22.)

(I.E. House, July 1, 1998.)

(For House substitute (H-1), see Blue Book.)

(For Senate substitute (S-3), see Blue Book.)

\_\_\_\_ 10 \_\_\_\_\_

# HB 5952 Rep. Schauer

Crimes; drunk driving; penalties and sanctions for certain repeat offenses; revise.

Amends 1949 PA 300 (MCL 257.1 - 257.923) by adding secs. 904c, 904d, 904e & 904f.

(Returned from Senate with substitute (S-2); laid over 1 day September 22.)

(I.E. House, July 1, 1998.)

(For House substitute (H-2), see Blue Book.)

(For Senate substitute (S-2), see Blue Book.)

#### HB 5953 Rep. Schermesser

Traffic control; driver license; driver license sanctions for certain violations of the Michigan penal code; require to be imposed by the secretary of state.

Amends secs. 367c, 382 & 479a of 1931 PA 328 (MCL 750.367c et seq.).

(Returned from Senate with substitute (S-2); laid over 1 day September 22.)

(I.E. House, July 1, 1998.)

(For House substitute (H-1), see Blue Book.)

(For Senate substitute (S-2), see Blue Book.)

\_\_\_\_ 12 \_\_\_\_\_

# HB 5954 Rep. Brown

Traffic control; driver license; driver license sanctions; require to be imposed by the secretary of state.

Amends sec. 2 of 1931 PA 214 (MCL 752.192).

(Returned from Senate with substitute (S-1); laid over 1 day September 22.)

(I.E. House, July 1, 1998.)

(For House substitute (H-1), see Blue Book.)

(For Senate substitute (S-1), see Blue Book.)

— 13 ——

# **HB 5955** Rep. Callahan

Traffic control; driver license; driver license sanctions for certain violations of the Michigan liquor control code of 1998; require to be imposed by the secretary of state.

Amends sec. 703 of 1998 PA 58 (MCL 436.1703).

(Returned from Senate with substitute (S-2); laid over 1 day September 22.)

(I.E. House, July 1, 1998.)

(For House substitute (H-1), see Blue Book.)

(For Senate substitute (S-2), see Blue Book.)

#### MESSAGES FROM THE SENATE

— 14 ——

#### **HB 5956** Rep. Bogardus

Crimes; drunk driving; penalties and sanctions for certain repeat offenses; revise.

Amends 1949 PA 300 (MCL 257.1 - 257.923) by adding secs. 904c, 904d, 904e & 904f.

(Returned from Senate with substitute (S-2); laid over 1 day September 22.)

(I.E. House, July 1, 1998.)

(For House substitute (H-1), see Blue Book.)

(For Senate substitute (S-2), see Blue Book.)

<del>\_\_\_\_ 15 \_\_\_\_\_</del>

# **HB** 5887 Rep. Rhead

Property; conveyances; location of water treatment plant on certain property; allow.

Amends 1982 PA 528 by adding sec. 2a.

(Returned from Senate with substitute (S-1) and immediate effect; laid over 1 day September 23.)

(I.E. House, July 1, 1998.)

(For House substitute (H-1), see Blue Book.)

(For Senate substitute (S-1), see Blue Book.)

# THIRD READING

# **HB** 4147 Rep. Kelly

Transportation; funds; transfers of funds from the Michigan transportation fund to agencies other than the state transportation department or commission; eliminate.

Amends sec. 10 of 1951 PA 51 (MCL 247.660).

(Reported by Committee on Transportation.)

(For House amendments, see House Journal No. 21 of 1997, p. 353.)

#### **HB** 4889 Rep. Brater

Financial institutions; other; fee disclosure for automatic teller machines; require.

Amends 1996 PA 354 (MCL 487.3101 - 487.3804) by adding sec. 513.

(Reported by Committee on Commerce.)

(Read a third time; defeated; vote reconsidered; post-poned for day October 22, 1997.)

(For House substitute (H-5), see Blue Book.)

(For House amendment, see House Journal No. 82 of 1997, p. 2178.)

\_\_\_\_ 18 \_\_\_\_\_

#### **HB** 4890 Rep. Thomas

Financial institutions; banks; fee disclosure for automatic teller machines; require.

Amends 1969 PA 319 (MCL 487.301 - 487.598) by adding sec. 247.

(Reported by Committee on Commerce.)

(For House substitute (H-5), see Blue Book.)

(For House amendment, see House Journal No. 82 of 1997, p. 2178.)

### THIRD READING

— 19 ——

#### HB 4891 Rep. Brater

Financial institutions; credit unions; fee disclosure for automatic teller machines; require.

Amends 1925 PA 285 (MCL 490.1 - 490.31) by adding sec. 32.

(Reported by Committee on Commerce.)

(For House substitute (H-5), see Blue Book.)

(For House amendment, see House Journal No. 82 of 1997, p. 2177.)

\_\_\_\_ 20 \_\_\_\_\_

### **HB** 4892 Rep. Thomas

Financial institutions; savings and loan associations; fee disclosure for automatic teller machines; require.

Amends 1980 PA 307 (MCL 491.102 - 491.1201) by adding sec. 1135.

(Reported by Committee on Commerce.)

(For House substitute (H-5), see Blue Book.)

(For House amendment, see House Journal No. 82 of 1997, p. 2177.)

#### **HB** 5096 Rep. Dalman

Higher education; financial aid; high school proficiency test scores; require higher education assistance authority to consider in scholarship grant process.

Amends sec. 3 of 1964 PA 208 (MCL 390.973).

(Reported by Committee on Colleges and Universities.)
(Read a third time; postponed temporarily October

(For House substitute (H-2), see Blue Book.)

(For House amendment, see House Journal No. 86 of 1997, p. 2244.)

\_\_\_\_ 22 \_\_\_

# **HB** 5080 Rep. Gagliardi

Education; calendar; school year; require to start after labor day.

Amends 1976 PA 451 (MCL 380.1 - 380.1852) by adding sec. 1284b.

(Reported by Committee on Tourism.)

(Read a third time; defeated; vote reconsidered; post-poned for day December 10, 1997.)

(For House substitute (H-4), see Blue Book.)

(For House amendments, see House Journal No. 96 of 1997, p. 2600.)

\_\_\_\_ 23 \_\_\_\_\_

#### HB 4924 Rep. Brewer

Sales tax; exemptions; personal property used in providing services by a motor carrier; exempt.

Amends 1933 PA 167 (MCL 205.51 - 205.78) by adding sec. 4q.

(Reported by Committee on Tax Policy.)

(Read a third time; postponed for day March 5.)

(For House amendment, see House Journal No. 21, p. 367.)

#### THIRD READING

— 24 ———

#### **HB** 4396 Rep. Mathieu

Liquor; licenses; certain persons owning or operating gas station convenience stores; revise criteria for granting license.

Amends sec. 28c of 1933 (Ex Sess) PA 8 (MCL 436.28c).

(Reported by Committee on Commerce.)

(Read a third time April 2; postponed temporarily May 19.)

(For House substitute (H-1), see Blue Book.)

(For House amendment, see House Journal No. 33, p. 638.)

\_\_\_\_ 25 \_\_\_\_\_

# **HB** 4455 Rep. Hammerstrom

Education; athletics; eliminating or reducing level of services or number of scholarships provided for athletic programs; prohibit under certain circumstances.

Amends secs. 302 & 402 of 1976 PA 453 (MCL 37.2302 & 37.2402).

(Reported by Committee on Constitutional and Civil Rights.)

<del>\_\_\_\_\_ 26 \_\_\_\_\_</del>

# **HB 4119** Rep. Profit

State; symbol; commission to select state song; establish.

(Reported by Committee on House Oversight and Ethics.)

(Read a third time; defeated; vote reconsidered May 21.)

(Amended; postponed temporarily June 23.)

(For House substitute (H-1), see Blue Book.)

(For House amendments, see House Journal Nos. 47 and 62, pgs. 1058 and 1574.)

#### SB 1026 Sen. Rogers

Traffic control; driver license; requirements for filing a change of address; revise and provide penalties and licensing sanctions.

Amends secs. 315, 319 & 323 of 1949 PA 300 (MCL 257.315 et seq.).

(Reported by Committee on Transportation.)

(Read a third time June 25.)

(Substitute (H-1)\* offered; postponed temporarily September 15.)

(For proposed House substitute (H-1)\*, see Blue Book.) (For House amendments, see House Journal Nos. 55 and 63, pgs. 1299 and 1623.)

(For Senate substitute (S-1), see Blue Book.)

**—** 28 **— — —** 

# HJR CC Rep. Schermesser

Elections; special elections; vacancy in office of state representative or state senator; amend constitution to require governor to call special election in manner prescribed in election law.

Amends sec. 13, art. V of the state constitution.

(Reported by Committee on Local Government.)

(Read a third time; not adopted; vote reconsidered; postponed temporarily July 1.)

(For House substitute (H-1), see Blue Book.)

### THIRD READING

— 29 ——

#### **SB** 1086 Sen. Bullard

Legislature; other; access to house and senate journals; require to be on-line on the Internet.

Amends 1986 PA 268 (MCL 4.1101 - 4.1901) by adding sec. 204f

(Reported by Committee on Advanced Technology and Computer Development.)

SB 1087 Sen. Miller

Legislature; other; access to bill analysis for each bill in the legislature; require to be on-line on the Internet.

Amends 1986 PA 268 (MCL 4.1101 - 4.1901) by adding sec. 204c.

(Reported by Committee on Advanced Technology and Computer Development.)

\_\_\_\_ 31 \_\_\_\_

#### SB 1088 Sen. Hoffman

Legislature; other; access to certain fiscal analyses; require to be on-line on the Internet.

Amends 1986 PA 268 (MCL 4.1101 - 4.1901) by adding sec. 204d.

(Reported by Committee on Advanced Technology and Computer Development.)

(For House substitute (H-1), see Blue Book.)

\_\_\_\_ 32 \_\_\_\_\_

# **HB** 4343 Rep. Alley

Advertising; billboards; tobacco advertising on billboards; prohibit.

Amends title & secs. 2, 3 & 7 of 1972 PA 106 (MCL 252.302 et seq.).

(Reported by Committee on Transportation.)

(Read a third time; amendments offered; postponed temporarily September 22.)

(For House substitute (H-2), see Blue Book.)

(For proposed House amendments, see House Journal No. 72, p. 2078.)

\_\_\_\_ 33 \_\_\_\_\_

# SB 677 Sen. Gougeon

Transportation; other; transportation of hazardous materials for agricultural operations; exempt from federal hazardous material regulations.

Amends sec. 5 of 1941 PA 207 (MCL 29.5).

(Reported by Committee on Agriculture.)

(For Senate substitute (S-2), see Blue Book.)

— 34 ———

# SB 728 Sen. Hoffman

Natural resources; forests; state forests; provide for recreation system.

(Reported by Committee on Conservation, Environment and Recreation.)

(For House substitute (H-3), see Blue Book.)

(For House amendments, see House Journal No. 73, pgs. 2117 and 2121.)

(For Senate amendments, see Senate Journal No. 77 of 1997, p. 1581.)

#### THIRD READING

— 35 ———

# SB 941 Sen. Bullard

Vehicles; registration; registration tax and dealer license fee; revise and prohibit overcharging consumer for temporary registration plate.

Amends secs. 41a, 226a, 248, 251, 801 & 807 of 1949 PA 300 (MCL 257.41a et seq.).

(Reported by Committee on Transportation.)

(For House amendments, see House Journal Nos. 66 and 73, pgs. 1838 and 2122.)

<del>\_\_\_\_</del> 36 <del>\_\_\_\_\_</del>

# **HB 5861** Rep. Profit

Crimes; trespassing; trespass; prohibit athlete agents and other persons from interfering with universities.

Amends sec. 411e of 1931 PA 328 (MCL 750.411e) & adds sec. 552c.

(Reported by Committee on Colleges and Universities.)

\_\_\_\_ 37 \_\_\_\_\_

# **HB** 5862 Rep. Profit

Crimes; trespassing; trespassing on college and university grounds; revise penalties.

Amends sec. 2 of 1905 PA 80 (MCL 19.142).

(Reported by Committee on Colleges and Universities.)

# SB 1128 Sen. McManus

Economic and industrial development; urban redevelopment corporations; increase exemption period and define qualified entity; provide for.

Amends sec. 12 of 1941 PA 250 (MCL 125.912) & adds secs. 12a & 12b.

(Reported by Committee on Commerce.)

39

#### SB 485 Sen. Hoffman

Agriculture; farm animals; license for feeding garbage to swine; repeal.

Repeals 1953 PA 173 (MCL 287.401 - 287.409).

(Reported by Committee on Agriculture.)

# SB 1025 Sen. Gougeon

Agriculture; products; processors of vegetables and fruit; protect from nuisance complaints under certain circumstances.

(Reported by Committee on Agriculture.)

(For House amendment, see House Journal No. 71, page 2067.)

(For Senate substitute (S-2), see Blue Book.)

- 41 ------

### SB 1173 Sen. McManus

Agriculture; products; application for grain dealer's license; revise.

Amends sec. 7a of 1939 PA 141 (MCL 285.67a).

(Reported by Committee on Agriculture.)

# **HB** 6016 Rep. Profit

Use tax; exemptions; certain property used by radio and television stations; provide for.

Amends sec. 4 of 1937 PA 94 (MCL 205.94).

(Reported by Committee on Tax Policy.) (For House substitute (H-2), see Blue Book.)

# THIRD READING — 43 —— **HB** 6017 Rep. Profit Sales tax; exemptions; certain property used by radio and television stations; provide for. Amends sec. 4a of 1933 PA 167 (MCL 205.54a). (Reported by Committee on Tax Policy.) (For House substitute (H-2), see Blue Book.) — 44 ——— HB 5890 Rep. Jansen Occupations; business licensing and regulation; regulation of certain miniature trains; exempt under certain cir-Amends sec. 2 of 1966 PA 225 (MCL 408.652). (Reported by Committee on Regulatory Affairs.) \_\_\_\_\_ 45 \_\_\_\_\_ **HB 5891** Rep. Cherry Occupations; business licensing and regulation; certain miniature trains; exempt from boiler inspection. Amends 1965 PA 290 (MCL 408.751 - 408.776) by adding sec. 7c. (Reported by Committee on Regulatory Affairs.) (For House substitute (H-1), see Blue Book.) **—** 46 **—** SB 1148 Sen. Bouchard Gaming; lottery; revenue apportionment rate for prize payouts; extend date for rate change. Amends sec. 12 of 1972 PA 239 (MCL 432.12). (Reported by Committee on Regulatory Affairs.) **HB 5987** Rep. Gire Law enforcement; law enforcement information network (LEIN); child protection employee access to law enforcement information network; allow. Amends sec. 4 of 1974 PA 163 (MCL 28.214). (Reported by Committee on Judiciary.) (For House amendment, see House Journal No. 72, p. 2097.) SECOND READING (Not eligible to be read a third time until September 26.) HB 5830 Rep. Cherry Higher education; other; America reads challenge act of 1997; establish state program. (Reported by Committee on Appropriations.) (For proposed House substitute (H-3), see Blue Book.) \_\_\_\_ 49 \_\_\_\_\_

**HB** 4463 Rep. Willard

Income tax; credit; dependent care credit; provide for. Amends 1967 PA 281 (MCL 206.1 - 206.532) by adding

(Reported by Committee on Tax Policy.)

(For proposed House amendment, see House Journal No. 24 of 1997, p. 446.)

#### SECOND READING

\_\_\_\_ 50 \_\_\_\_\_

**HB** 4583 Rep. Law

Consumer credit and protection; other; procedures for awarding certain prizes or gifts; establish and provide

(Reported by Committee on Regulatory Affairs.)

(For proposed House amendment, see House Journal No. 37 of 1997, p. 749.)

\_\_\_\_ 51 \_\_\_\_\_

SB 57 Sen. V. Smith

Corrections; prisoners; uniforms; require. Amends sec. 42 of 1893 PA 118 (MCL 800.42).

(Reported by Committee on Corrections.)

(For Senate substitute (S-8), see Blue Book.)

**HB** 4152 Rep. Quarles

Income tax; deductions; deduction for certain health insurance premiums; provide for.

Amends sec. 30 of 1967 PA 281 (MCL 206.30) & repeals secs. 30a, 30b & 30c of 1967 PA 281 (MCL 206.30a et seq.).

(Reported by Committee on Tax Policy.) (For proposed House substitute (H-4), see Blue Book.)

<del>\_\_\_ 53 \_\_\_\_\_</del>

HB 4719 Rep. Griffin

Liquor; manufacture; microbrewers; allow to obtain class C license under certain circumstances.

Amends sec. 31 of 1933 (Ex Sess) PA 8 (MCL 436.31).

(Reported by Committee on Commerce.)

(For proposed House substitute (H-1), see Blue Book.)

HB 4330 Rep. Varga

Gaming; bingo; charitable gaming act; create.

Creates new act & repeals 1972 PA 382 (MCL 432.101 -432.120).

(Reported by Committee on Regulatory Affairs.) (For proposed House substitute (H-4), see Blue Book.)

**HB** 5086 Rep. Anthony

Gaming; electronic; gambling devices in certain establishments; allow.

Amends sec. 3 of I.L. of 1996 (MCL 432.203).

(Reported by Committee on Regulatory Affairs.)

**HB** 5087 Rep. Anthony

Gaming; electronic; gambling devices in certain establishments; allow.

Amends 1931 PA 328 (MCL 750.1 - 750.568) by adding

(Reported by Committee on Regulatory Affairs.)

(For proposed House amendments, see House Journal No. 90 of 1997, p. 2343.)

# \_\_\_\_\_ 57 \_\_\_\_\_

#### SB 280 Sen. Van Regenmorter

Criminal procedure; probation; requirement that mandatory life term of probation be imposed for certain controlled substance violations; eliminate in public health code.

Amends secs. 7401 & 7403 of 1978 PA 368 (MCL 333.7401 & 333.7403).

(Reported by Committee on Judiciary.)

(For proposed House amendments, see House Journal No. 92 of 1997, p. 2449.)

(For Senate substitute (S-2), see Blue Book.)

\_\_\_\_\_ 58 \_\_\_\_

SB 480 Sen. Gougeon

Occupations; construction; persons constructing a natural gas pipeline or facility; establish a professional code of conduct.

Amends 1929 PA 9 (MCL 483.101 - 483.120) by adding secs. 1a & 1b.

(Reported by Committee on Public Utilities.) (For Senate substitute (S-1), see Blue Book.)

<del>------ 59 ------</del>

#### **SB** 4 Sen. Bennett

Environmental protection; solid waste; importation of out-of-state solid waste; prohibit under certain circumstances.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding sec. 11514a.

(Reported by Committee on Conservation, Environment and Recreation.)

(For proposed House substitute (H-3), see Blue Book.) (For Senate substitute (S-1), see Blue Book.)

60 —

#### SB 5 Sen. Bennett

Environmental protection; toxic substances; penalties for illegal dumping of certain toxins; increase.

Amends sec. 11151, 1994 PA 451 (MCL 324.11151).

(Reported by Committee on Conservation, Environment and Recreation.)

<del>\_\_\_\_</del> 61 <del>\_\_\_\_\_\_</del>

# SB 375 Sen. Emmons

Civil rights; handicapper discrimination; references to handicappers; change to persons with disabilities.

Amends sec. 8 of 1921 PA 302 (MCL 388.558).

(Reported by Committee on Constitutional and Civil Rights.)

(Read a second time; postponed temporarily February 24.)

<del>\_\_\_\_</del> 62 <del>\_\_\_\_\_</del>

#### SB 378 Sen. Bennett

Civil rights; handicapper discrimination; references to handicappers in traffic ordinance authorization; change to persons with disabilities.

Amends secs. 1 & 2a of 1967 PA 291 (MCL 390.891 & 390.892a).

(Reported by Committee on Constitutional and Civil Rights.)

#### SECOND READING

# SB 379 Sen. Bennett

Civil rights; handicapper discrimination; references to handicapped persons; change to persons with disabilities.

Amends secs. 3 & 6 of 1979 PA 218 (MCL 400.703 & 400.706).

(Reported by Committee on Constitutional and Civil Rights.)

<del>-----</del> 64 <del>-------</del>

#### SB 380 Sen. Bennett

Civil rights; handicapper discrimination; references to handicapped persons; change to persons with disabilities.

Amends secs. 110 & 210 of 1990 PA 325 (MCL 399.410 & 399.510).

(Reported by Committee on Constitutional and Civil Rights.)

# HB 4925 Rep. Profit

Use tax; exemptions; personal property used in providing services by a motor carrier; exempt.

Amends sec. 4 of 1937 PA 94 (MCL 205.94).

(Reported by Committee on Tax Policy.)

(Read a second time; substitute (H-1) adopted and amended; postponed temporarily March 4.)

(For House substitute (H-1), see Blue Book.)

(For House amendment, see House Journal No. 21, p. 368.)

#### **HB 5100** Rep. Law

Insurance; health; determination of copayment or coinsurance; require to be based on amount paid by the plan.

Amends 1956 PA 218 (MCL 500.100 - 500.8302) by adding sec. 3417.

(Reported by Committee on Insurance.)

(For proposed House substitute (H-1), see Blue Book.)

<del>\_\_\_ 67 \_\_\_\_\_</del>

#### **HB** 5101 Rep. Palamara

Insurance; health maintenance organizations; determination of copayment or coinsurance; require to be based on amount paid by the plan.

Amends 1978 PA 368 (MCL 333.1101 - 333.25211) by adding sec. 21053d.

(Reported by Committee on Insurance.)

(For proposed House substitute (H-1), see Blue Book.)

# **HB** 4582 Rep. Gire

Consumer credit and protection; other; procedures for awarding certain prizes or gifts; allow certain state and local officials to enforce.

(Reported by Committee on Consumer Protection.) (For proposed House substitute (H-1), see Blue Book.)

**—** 69 **—** 

# **HB** 5128 Rep. Frank

Consumer credit and protection; sweepstakes solicitations; regulate.

(Reported by Committee on Consumer Protection.) (For proposed House substitute (H-3), see Blue Book.)

— 70 ———

#### **HB** 4805 Rep. Crissman

State; symbol; morel mushroom; establish as official state fungus.

(Reported by Committee on Agriculture.)

<del>----- 71 ------</del>

# SB 494 Sen. Bouchard

Civil rights; other; minors in malls and shopping malls during certain hours; allow local government to restrict unless accompanied by an adult.

Amends sec. 302 of 1976 PA 453 (MCL 37.2302).

(Reported by Committee on Commerce.)

(For Senate amendment, see Senate Journal No. 53 of 1997, p. 912.)

### HB 5481 Rep. LeTarte

Education; teachers; eligibility to serve as substitute teacher in grades K to 9 with 60 hours of postsecondary credit if the person is enrolled in an approved teacher education program leading to a teaching certificate; provide for

Amends sec. 1233 of 1976 PA 451 (MCL 380.1233).

(Reported by Committee on Education.)

(For proposed House substitute (H-2), see Blue Book.)

<del>\_\_\_\_\_ 73 \_\_\_\_</del>

# **HB 4699** Rep. Profit

Income tax; income; exemption from tax of taxpayers with adjusted gross income below specific amount; provide for.

Amends sec. 311 of 1967 PA 281 (MCL 206.311) & adds sec. 51b.

(Reported by Committee on Tax Policy.)

(For proposed House substitute (H-1), see Blue Book.)

# **HB 5546** Rep. Dobb

Income tax; deductions; interest, dividends, and capital gains; increase deduction.

Amends sec. 30 of 1967 PA 281 (MCL 206.30) & repeals sec. 30d of 1967 PA 281 (MCL 206.30d).

(Reported by Committee on Tax Policy.)

(For proposed House substitute (H-1), see Blue Book.)

<del>\_\_\_\_ 75 \_\_\_\_</del>

# SB 876 Sen. Stille

Natural resources; trust funds; Michigan natural resources trust fund; change name to the "Thomas L. Washington Michigan natural resources trust fund".

Amends secs. 1901 & 1902 of 1994 PA 451 (MCL 324.1901 & 324.1902).

(Reported by Committee on House Oversight and Ethics.)

<del>\_\_\_\_ 76 \_\_\_\_</del>

### SB 755 Sen. Bennett

Criminal procedure; sentencing; sentencing enhancement for crime committed against teacher, school employee, or student; provide for.

Amends 1927 PA 175 (MCL 760.1 - 776.22) by adding sec. 15 to ch. IX.

(Reported by Committee on Judiciary.)

(For proposed House substitute (H-3), see Blue Book.)

#### SECOND READING

### **HB** 5713 Rep. Profit

Local government; special assessments; deferral for low-income senior citizens for special assessments; provide for. Amends sec. 3 of 1976 PA 225 (MCL 211.763).

(Reported by Committee on Tax Policy.)

— 78 *—* 

# **HB** 5725 Rep. Leland

Taxation; inheritance; refund from overpayment of Michigan estate tax; provide for.

Amends sec. 6 of 1899 PA 188 (MCL 205.206).

(Reported by Committee on Tax Policy.)

(For proposed House substitute (H-1), see Blue Book.)

- 79 —

# **HJR BB** Rep. Palamara

Taxation; revenue sharing; guarantee of revenue sharing distributions; provide for.

Amends art. IX of the state constitution by adding sec. 40.

(Reported by Committee on Tax Policy.)

(For proposed House substitute (H-8), see Blue Book.)

— 80 —

# SB 689 Sen. Shugars

School aid; other; nonresident pupil enrolling and being counted in membership in another school district; allow without approval of school district of residence if pupil is victim of physical assault and provide for school aid penalty for district refusing to release the pupil's educational records or other property.

Amends sec. 6 of 1979 PA 94 (MCL 388.1606).

(Reported by Committee on Education.)

(For proposed House substitute (H-4), see Blue Book.)

— 81 ——

# HB 5111 Rep. Schauer

Single business tax; tax base; health care add-back; remove over a 20-year period.

Amends sec. 4 of 1975 PA 228 (MCL 208.4).

(Reported by Committee on Tax Policy.)

(Read a second time; substitute (H-1) adopted and amended; amendments offered; postponed for day June 30.)

(For House substitute (H-1), see Blue Book.)

(For House amendments, see House Journal No. 65, p. 1678.)

(For proposed House amendments, see House Journal No. 65, p. 1678.)

82 —

# HB 5354 Rep. Bobier

Property tax; delinquent taxes; procedures for the collection of delinquent taxes; revise.

Amends secs. 55a, 60, 61, 61a, 61b, 62, 63, 64, 65, 66, 67, 67a, 67b, 68, 69, 70, 70b, 74, 76, 77, 83, 84, 85, 87, 88, 95, 96, 97, 98, 98a, 98b, 99, 101, 105, 106, 108, 113, 121, 122, 130, 131a, 131c, 131d, 131e, 135, 139, 140, 144, 156 & 157 of 1893 PA 206 (MCL 211.55a et seq.) & repeals secs. 70a, 70b, 71, 72, 73, 73a, 73b, 73c, 75, 76, 77, 83, 84, 86, 88, 92, 101, 102, 103, 115, 124, 127b, 131b, 131c, 138, 140, 140a, 141, 142, 142a, 143, 144, 156 & 157 of 1893 PA 206 (MCL 211.70a et seq.).

(Reported by Committee on Tax Policy.)

(For proposed House substitute (H-4), see Blue Book.)

— 83 ———

#### SB 1012 Sen. Bouchard

Taxation; other; certain notice provisions to review records by department of treasury; provide for.

Amends sec. 21 of 1941 PA 122 (MCL 205.21).

(Reported by Committee on Tax Policy.)

(For proposed House substitute (H-1), see Blue Book.) (For Senate amendments, see Senate Journal No. 32, p. 613.)

\_\_\_\_\_ 84 \_\_\_\_\_

# **HB** 5615 Rep. Brackenridge

Civil rights; public records; personnel files, medical files, and similar files or information; exempt from disclosure.

Amends sec. 13 of 1976 PA 442 (MCL 15.243).

(Reported by Committee on Local Government.)
(For proposed House substitute (H-2), see Blue Boo

(For proposed House substitute (H-2), see Blue Book.)

#### SB 152 Sen. Stille

Insurance; health care corporations; obstetricians-gynecologists as primary care providers; permit.

Amends 1980 PA 350 (MCL 550.1101 - 550.1704) by adding sec. 401e.

(Reported by Committee on Health Policy.) (For Senate substitute (S-2), see Blue Book.)

#### **HB** 5361 Rep. Frank

Trade; consumer goods and services; extended warranty information disclosure act; establish and require certain information to be on contracts.

(Reported by Committee on Consumer Protection.) (For proposed House substitute (H-3), see Blue Book.)

#### SB 341 Sen. Bennett

Advertising; billboards; tobacco advertising on billboards; prohibit.

Amends title & sec. 3 of 1972 PA 106 (MCL 252.303) & adds sec. 4a.

(Reported by Committee on Transportation.)

(For proposed House substitute (H-3), see Blue Book.) (For Senate amendments, see Senate Journal Nos. 47 and 49, pgs. 774, 798, and 800.)

88 –

# **HB** 5247 Rep. Profit

Mental health; hospitalization; civil commitment to a mental institution for certain sexual offenders who have served their prison terms; provide for.

Amends 1974 PA 258 (MCL 330.1001 - 330.2106) by adding ch. 10a.

(Reported by Committee on Mental Health.)

(For proposed House substitute (H-2), see Blue Book.)

# HB 4476 Rep. Baird

Crimes; assaultive; injury to a pregnant woman during the commission of a crime or negligent or reckless driving that results in injury to fetus; prohibit and provide penalties for

Amends 1931 PA 328 (MCL 750.1 - 750.568) by adding sec. 90a

(Reported by Committee on Judiciary.)

#### SECOND READING

— 90 ———

### **HB** 4674 Rep. Martinez

Civil rights; sex discrimination; ethnic intimidation; expand to include intimidation or hate crimes based on sexual orientation.

Amends sec. 147b of 1931 PA 328 (MCL 750.147b).

(Reported by Committee on Constitutional and Civil Rights.)

— 91 —

# HB 5287 Rep. Quarles

Income tax; deductions; deduction of certain interest payment; provide for.

Amends sec. 30 of 1967 PA 281 (MCL 206.30).

(Reported by Committee on Tax Policy.)

(For proposed House substitute (H-1), see Blue Book.)

<del>\_\_\_\_ 92 \_\_\_\_\_</del>

#### SB 105 Sen. Schwarz

Single business tax; credit; credit for restoration of historical site; provide for.

Amends 1975 PA 228 (MCL 208.1 - 208.145) by adding sec. 39h

(Reported by Committee on Tax Policy.) (For Senate substitute (S-4), see Blue Book.)

\_\_\_\_ 93 <u>\_\_\_\_</u>

#### SB 106 Sen. Schwarz

Income tax; credit; credit for restoration of historical site; provide for.

Amends 1967 PA 281 (MCL 206.1 - 206.532) by adding sec. 266.

(Reported by Committee on Tax Policy.) (For Senate substitute (S-5), see Blue Book.)

# **HB** 5831 Rep. Scranton

Cemeteries and funerals; burial; disinterment of decedent remains; provide priority for those making arrangements.

Amends sec. 2851 of 1978 PA 368 (MCL 333.2851).

(Reported by Committee on Regulatory Affairs.)

\_\_\_\_ 95 \_\_\_\_

# HB 5832 Rep. Varga

Occupations; mortuary science; joint ownership of funeral homes and cemeteries; allow.

Amends secs. 1804, 1809 & 1811 of 1980 PA 299 (MCL 339.1804 et seq.) & repeals sec. 1812 of 1980 PA 299 (MCL 339.1812).

(Reported by Committee on Regulatory Affairs.) (For proposed House substitute (H-2), see Blue Book.)

<del>-----</del> 96 <del>--------</del>

# HB 5833 Rep. Varga

Cemeteries and funerals; burial; revisions as to merchandise trusting, audits, and enforcement; provide for.

Amends secs. 2, 9, 12, 12a, 16, 18 & 21 of 1968 PA 251 (MCL 456.522 et seq.) & adds secs. 2b, 2c, 2d, 12b, 16a, 16b, 16c, 16d, 16e, 16f, 16g, 16h, 16i & 16j.

(Reported by Committee on Regulatory Affairs.) (For proposed House substitute (H-2), see Blue Book.)

<del>-----</del> 97 <del>------</del>

#### HB 5834 Rep. Varga

Cemeteries and funerals; burial; prepaid funeral act; revise.

Amends secs. 4, 5, 6, 8, 12, 13, 15, 18, 19 & 24 of 1986 PA 255 (MCL 328.214 et seq.) & adds secs. 12a, 12b, 12c, 12d, 12e & 12f.

(Reported by Committee on Regulatory Affairs.) (For proposed House substitute (H-2), see Blue Book.)

<del>-----</del> 98 <del>-----</del>

#### **HB** 5838 Rep. Scranton

Cemeteries and funerals; other; protection of abandoned cemeteries; provide for.

Amends title & secs. 1 & 3 of 1871 PA 164 (MCL 128.41 & 128.43).

(Reported by Committee on Regulatory Affairs.)

— 99 ———

#### **HB** 5839 Rep. Richner

Cemeteries and funerals; other; maintenance of abandoned cemeteries in certain local units of government; provide for.

Amends secs. 1, 2 & 5 of 1929 PA 297 (MCL 128.51 et seq.).

(Reported by Committee on Regulatory Affairs.)

\_\_\_\_\_ 100 \_\_\_\_\_

#### HB 5905 Rep. Richner

Cemeteries and funerals; other; maintenance of abandoned cemeteries in certain local units of government; provide for

Amends title & secs. 1, 3 & 4 of 1895 PA 49 (MCL 128.31 et seq.).

(Reported by Committee on Regulatory Affairs.)

#### **HB** 5545 Rep. Olshove

Administrative procedure; rules; certain notice requirements; revise for rules involving federal standards regarding natural gas transmission.

Amends sec. 42 of 1969 PA 306 (MCL 24.242).

(Reported by Committee on Public Utilities.)

(For proposed House substitute (H-1), see Blue Book.)

- 102 -----

# HB 4374 Rep. Schermesser

Income tax; credit; senior prescription drug tax credit; allow individuals residing in nursing home or medical care facility to claim.

Amends sec. 273 of 1967 PA 281 (MCL 206.273).

(Reported by Committee on Tax Policy.)

(For proposed House substitute (H-3), see Blue Book.)

\_\_\_\_ 103 \_\_\_\_\_

# HB 4985 Rep. Freeman

Income tax; exemptions; personal exemption; increase. Amends sec. 30 of 1967 PA 281 (MCL 206.30).

(Reported by Committee on Tax Policy.)

(For proposed House substitute (H-4), see Blue Book.)

#### SECOND READING

—— 104 ———

#### **HB** 5822 Rep. Harder

Transportation; funds; general amendments to Act 51; provide for.

Amends secs. 1e & 10 of 1951 PA 51 (MCL 247.651e & 247.660).

(Reported by Committee on Appropriations.)

(For proposed House substitute (H-1), see Blue Book.)

\_\_\_\_ 105 \_\_\_\_\_

# **HB** 5537 Rep. Brewer

Education; other; state school technology commission; establish.

(Reported by Committee on Advanced Technology and Computer Development.)

(For proposed House substitute (H-1), see Blue Book.)

# **HB** 5109 Rep. Profit

Income tax; exemptions; withholding requirements; exempt individuals over age 55.

Amends secs. 351 & 365 of 1967 PA 281 (MCL 206.351 & 206.365).

(Reported by Committee on Tax Policy.)

(For proposed House substitute (H-1), see Blue Book.)

\_\_\_\_\_ 107 \_\_\_\_\_\_

# HB 5134 Rep. Dobb

Income tax; deductions; medical expense deduction; provide for.

Amends sec. 30 of 1967 PA 281 (MCL 206.30) & repeals secs. 30a, 30b & 30c of 1967 PA 281 (MCL 206.30a et seg.).

(Reported by Committee on Tax Policy.)

(For proposed House substitute (H-1), see Blue Book.)

#### **HB** 5551 Rep. Cropsey

Weapons; licensing; procedures for issuing concealed weapon permits; revise.

Amends title & secs. 8 & 12a of 1927 PA 372 (MCL 28.428 & 28.432a); adds secs. 1a, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5h, 5i, 5n & 5o & repeals sec. 3 of 1927 PA 372 (MCL 28.423).

(Reported by Committee on House Oversight and Ethics.)

(For proposed House substitute (H-5), see Blue Book.)

— 109 —

#### HB 5552 Rep. Curtis

Firearms; pistols; pistol purchase permit; eliminate requirement for holder of concealed weapon permit, and provide for registration of pistols through licensed dealers.

Amends secs. 12 & 14 of 1927 PA 372 (MCL 28.432 & 28.434) & repeals secs. 6 & 9d of 1927 PA 372 (MCL 28.426 & 28.429d).

(Reported by Committee on House Oversight and Ethics.)

(For proposed House substitute (H-2), see Blue Book.)

—— 110 ———

#### **HB** 5553 Rep. Wetters

Firearms; other; carrying concealed weapon while having any bodily alcohol content; prohibit and provide remedies.

Amends 1927 PA 372 (MCL 28.421 - 28.434) by adding sec. 5k.

(Reported by Committee on House Oversight and Ethics.)

(For proposed House substitute (H-3), see Blue Book.)

# HB 5554 Rep. McNutt

Firearms; licensing; applicant to provide proof of firearms training before issuance of concealed weapon permit; require.

Amends 1927 PA 372 (MCL 28.421 - 28.434) by adding sec. 5.

(Reported by Committee on House Oversight and Ethics.)

(For proposed House substitute (H-2), see Blue Book.)

\_\_\_\_\_ 112 \_\_\_\_\_

# HB 5555 Rep. Profit

Firearms; licensing; procedures for renewal of concealed weapon permit; revise.

Amends 1927 PA 372 (MCL 28.421 - 28.434) by adding sec. 5m & repeals sec. 12c of 1927 PA 372 (MCL 28.432c).

(Reported by Committee on House Oversight and Ethics.)

(For proposed House substitute (H-2), see Blue Book.)

\_\_\_\_ 113 \_\_\_\_\_

### **HB 5556** Rep. Lowe

Weapons; concealed; forfeiture of concealed weapons carried in violation of Michigan penal code; make subject to forfeiture provisions of firearms act.

Amends sec. 239 of 1931 PA 328 (MCL 750.239).

(Reported by Committee on House Oversight and Ethics.)

(For proposed House substitute (H-1), see Blue Book.)

# **HB** 5557 Rep. DeHart

Firearms; licensing; consideration of application for concealed weapon licensing by concealed weapon board; permit in closed meeting under certain circumstances.

Amends sec. 8 of 1976 PA 267 (MCL 15.268).

(Reported by Committee on House Oversight and Ethics.)

(For proposed House substitute (H-2), see Blue Book.)

115

# **HB** 4272 Rep. Hanley

Crimes; weapons; penalty for selling a pistol to a minor; increase.

Amends secs. 223 & 237a of 1931 PA 328 (MCL 750.223 & 750.237a).

(Reported by Committee on Judiciary.)

(For proposed House amendments, see House Journal No. 65, p. 1731.)

#### SECOND READING

— 116 ——

#### **HB** 5467 Rep. Scranton

Income tax; deductions; deductions for long-term care insurance premium; establish.

Amends sec. 30 of 1967 PA 281 (MCL 206.30) & repeals sec. 30d of 1967 PA 281 (MCL 206.30d).

(Reported by Committee on Tax Policy.)

(For proposed House substitute (H-2), see Blue Book.)

### **HB** 4337 Rep. Wetters

Drains; code; revisions; provide for.

Amends secs. 1, 2, 3, 6, 8, 10, 11, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 51, 52, 53, 54, 71, 72, 72a, 73, 74, 75, 76, 77, 101, 102, 103, 104, 105, 106, 121, 122, 122a, 123, 124, 125, 126, 127, 128, 131, 132, 133, 134, 135, 151, 152, 153, 154, 155, 156, 157, 158, 161, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 221, 222, 223, 241, 242, 244, 245, 247, 248, 261, 262, 265, 266, 269, 270, 273, 275, 276, 277, 278, 279, 280, 282, 283, 301, 302, 304, 306, 307, 321, 322, 323, 324, 327, 328, 342, 343, 351, 352, 354, 355, 381, 382, 384, 391, 392, 395, 421, 422, 423, 425, 429, 430, 431, 433, 441, 441a, 442, 446, 463, 464, 465, 466, 467, 468, 469, 470, 472, 473, 474, 478, 482, 491, 513, 515, 517, 518, 520, 521, 522, 525, 526, 530, 534, 540, 541, 548, 601 & 602 of 1956 PA 40 (MCL 280.1 et seq.); adds secs. 34, 275a, 277a, 329, 524a, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 603, 604, 605, 606, 607, 608, 615 & 616 & repeals secs. 4, 5, 78 - 88, 129, 246, 271, 272, 281, 325, 353, 356, 427, 428, 434, 443, 445, 448, 461, 480, 492 - 495, 498, 511, 533, 542, 543, 544, 545 & 551 - 583 of 1956 PA 40 (MCL 280.4 et seq.).

(Reported by Committee on Agriculture.)

(For proposed House substitute (H-6), see Blue Book.)

\_\_\_\_ 118 \_\_\_\_\_

# **HB** 5469 Rep. Middaugh

Watercraft; safety; water skier practice permit program; establish.

Amends sec. 80152 of 1994 PA 451 (MCL 324.80152).

(Reported by Committee on Conservation, Environment and Recreation.)

(For proposed House substitute (H-2), see Blue Book.)

# SB 1021 Sen. Jaye

Natural resources; hunting; local acts limiting Sunday hunting; repeal.

Repeals (See bill).

(Reported by Committee on Conservation, Environment and Recreation.)

(For Senate amendments, see Senate Journal No. 36, page 695.)

# **HB** 5740 Rep. Perricone

Civil procedure; bankruptcy; exemption of gifts and donations to churches from bankruptcy proceedings; provide for

Amends sec. 6023 of 1961 PA 236 (MCL 600.6023).

(Reported by Committee on Commerce.)

(For proposed House substitute (H-4), see Blue Book.)

# SECOND READING <del>\_\_\_\_\_ 121 \_\_\_\_\_</del> **HB** 4710 Rep. Cassis Income tax; rate; reduction of tax rate; provide for. Amends sec. 51 of 1967 PA 281 (MCL 206.51). (Discharged from Committee; postponed temporarily September 17.) \_\_\_\_ 122 \_\_\_\_\_ **HB** 6040 Rep. Profit Single business tax; credit; refundable credit for certain personal property tax; provide for rental store owners. Amends 1975 PA 228 (MCL 208.1 - 208.145) by adding sec. 39c. (Reported by Committee on Tax Policy.) \_\_\_\_\_ 123 \_\_\_\_\_ **HB** 6045 Rep. Voorhees Property tax; exemptions; certain housing for elderly or disabled individuals; exempt. Amends sec. 7d of 1893 PA 206 (MCL 211.7d). (Reported by Committee on Tax Policy.) 1054 Sen. Bullard SB Property tax; personal property; assessment of rental personal property by the local tax collecting unit in which the rental business is located; require. Amends secs. 8a & 13 of 1893 PA 206 (MCL 211.8a & (Reported by Committee on Tax Policy.) (For Senate substitute (S-1), see Blue Book.) SB 1096 Sen. Schuette Property tax; personal property; personal property located in a federally designated rural enterprise community that is a component part of a natural gas distribution system; exempt for certain period of time. Amends 1893 PA 206 (MCL 211.1 - 211.157) by adding (Reported by Committee on Tax Policy.) (For proposed House substitute (H-2), see Blue Book.) \_\_\_\_ 126 \_\_\_\_\_ 6033 Rep. Gernaat HB Property; conveyances; sale of certain state owned property in Roscommon county; provide for. (Reported by Committee on Regulatory Affairs.) (For proposed House substitute (H-3), see Blue Book.)

# SB 1030 Sen. Bullard

Liquor; retail sales; responsible vendor program; establish for certain licensees and provide for other revisions.

Amends secs. 19 & 20 of 1933 (Ex Sess) PA 8 (MCL 436.19 & 436.20) & adds sec. 20b.

(Reported by Committee on Regulatory Affairs.) (For Senate substitute (S-1), see Blue Book.)

#### SECOND READING

— 128 ———

# **HB** 4801 Rep. Anthony

Education; teachers; background checks for employment of substitute teachers;

allow coordination of lists by school districts and make other revisions.

Amends sec. 1230b of 1976 PA 451 (MCL 380.1230b).

(Discharged from committee September 22.)

(Read a second time; substitute H-3 adopted; amendment offered; postponed for day September 23.)

(For House substitute (H-3), see Blue Book.)

(For proposed House amendment, see House Journal No. 73, p. 2124.)

### SB 1209 Sen. Miller

Children; protection; mandatory court and termination petitions; clarify provisions.

Amends sec. 18 of 1975 PA 238 (MCL 722.638). (Reported by Committee on Judiciary.)

# HB 6039 Rep. Profit

Retirement; public school employees; retirant employed by a university that is considered a reporting unit; remove requirement that retirement allowance be reduced under certain circumstances.

Amends sec. 61 of 1980 PA 300 (MCL 38.1361).

(Reported by Committee on Public Retirement.) (For proposed House substitute (H-1), see Blue Book.)

\_\_\_\_ 131 \_\_\_\_\_\_

# **HB 5983** Rep. Lowe

Taxation; severance; distribution of oil and gas severance tax revenues; revise.

Amends sec. 14 of 1929 PA 48 (MCL 205.314).

(Reported by Committee on Forestry and Mineral Rights.)

\_\_\_\_ 132 \_\_\_\_\_

# HB 5984 Rep. Quarles

Taxation; severance; distributed severance tax revenues; earmark for roads, land reclamation, and certain environmental projects.

Amends 1929 PA 48 (MCL 205.301 - 205.317) by adding sec. 14b.

(Reported by Committee on Forestry and Mineral Rights.)

# **HB** 5985 Rep. Bobier

Taxation; severance; distribution formula for severance tax; modify.

Amends 1929 PA 48 (MCL 205.301 - 205.317) by adding sec. 14a.

(Reported by Committee on Forestry and Mineral Rights.)

— 134 ———

#### SB 268 Sen. Bullard

Vehicles; off-road; bodily injury caused from operation of vehicle under influence of controlled substance or alcohol; increase penalties.

Amends sec. 81134 of 1994 PA 451 (MCL 324.81134).

(Reported by Committee on Judiciary.)

(For proposed House substitute (H-1), see Blue Book.) (For Senate substitute (S-1), see Blue Book.)

# SB 269 Sen. Bouchard

Criminal procedure; sentencing; reimbursement of certain costs to state or local units of government; allow courts to order as part of sentence for certain drinking- or drug-related offenses.

Amends 1927 PA 175 (MCL 760.1 - 776.22) by adding sec. 1f to ch. IX.

(Reported by Committee on Judiciary.)

(For proposed House substitute (H-1), see Blue Book.) (For Senate substitute (S-1), see Blue Book.)

### SB 627 Sen. Rogers

Crimes; drunk driving; third conviction for any combination of drunk driving offenses; provide for penalty and sanctions commensurate with third OUIL conviction.

Amends secs. 5a, 8a, 44a, 258, 319, 319b, 625, 625b & 625m of 1949 PA 300 (MCL 257.5a et seq.) and adds secs. 23b & 204b.

(Reported by Committee on Judiciary.)

(For proposed House substitute (H-1), see Blue Book.) (For Senate substitute (S-1), see Blue Book.)

— 137 ———

# SB 870 Sen. Gougeon

Traffic control; violations; driving while intoxicated with minor present in vehicle; prohibit and provide a penalty.

Amends secs. 303, 310d, 319, 319b, 320a, 625, 625a, 625b, 625c, 625i, 625m, 727 & 732 of 1949 PA 300 (MCL 257.303 et seq.).

(Reported by Committee on Judiciary.)

(For proposed House substitute (H-1), see Blue Book.) (For Senate substitute (S-1), see Blue Book.)

138

# SB 953 Sen. Van Regenmorter

Crimes; drunk driving; penalties and sanctions for certain repeat offenses; revise.

Amends secs. 303, 625a & 625b of 1949 PA 300 (MCL 257.303 et seq.).

(Reported by Committee on Judiciary.)

(For proposed House substitute (H-2), see Blue Book.) (For Senate substitute (S-1), see Blue Book.)

### **HB** 6006 Rep. Birkholz

Environmental protection; recycling; materials used for composting; expand.

Amends secs. 11503 & 11506 of 1994 PA 451 (MCL 324.11503 & 324.11506).

(Reported by Committee on Conservation, Environment and Recreation.)

(For proposed House substitute (H-1), see Blue Book.)

#### SECOND READING

### **HB** 6007 Rep. Hanley

Environmental protection; other; certain requirements for certification of an underground storage tank professional; revise.

Amends sec. 21543 of 1994 PA 451 (MCL 324.21543).

(Reported by Committee on Conservation, Environment and Recreation.)

(For proposed House substitute (H-1), see Blue Book.)

\_\_\_\_\_ 141 \_\_\_\_\_

# SB 767 Sen. Dunaskiss

Natural resources; hunting; penalty and civil liability provisions of recreational trespass laws; revise.

Amends secs. 73101, 73102, 73109 & 73110 of 1994 PA 451 (MCL 324.73101 et seq.).

(Reported by Committee on Conservation, Environment and Recreation.)

(For proposed House amendments, see House Journal No. 72, p. 2100.)

(For Senate substitute (S-6), see Blue Book.)

\_\_\_\_\_ 142 \_\_\_\_\_

#### SB 768 Sen. Bennett

Natural resources; hunting; small claims court action for trespass; provide for.

Amends secs. 4701, 8401a & 8424 of 1961 PA 236 (MCL 600.4701 et seq.).

(Reported by Committee on Conservation, Environment and Recreation.)

(For Senate substitute (S-3), see Blue Book.)

\_\_\_\_ 143 \_\_\_\_\_

#### **HB** 5356 Rep. Brewer

Civil rights; public records; internet providers selling certain information; prohibit.

(Reported by Committee on Advanced Technology and Computer Development.)

(For proposed House substitute (H-1), see Blue Book.)

\_\_\_\_\_ 144 \_\_\_\_\_

# †(Not eligible for passage until September 26.)

#### HB 6132 Rep. Brewer

Legislature; other; state technology commission; establish.

(Reported by Committee on Advanced Technology and Computer Development.)

# **HB 5238** Rep. Law

Health; autopsies; fire death autopsies; require.

Amends secs. 2, 3 & 5 of 1953 PA 181 (MCL 52.202 et seq.).

(Reported by Committee on Health Policy.)

(For proposed House substitute (H-3), see Blue Book.)

# **HB 5924** Rep. Griffin

Occupations; dentists; membership on board of dentistry; expand.

Amends sec. 16621 of 1978 PA 368 (MCL 333.16621).

(Reported by Committee on Health Policy.)

(For proposed House substitute (H-1), see Blue Book.)

—— 147 ———

#### **HB 5986** Rep. Law

Health; occupations; respiratory therapists; provide for registration and title protection.

Amends secs. 16131 & 16263 of 1978 PA 368 (MCL 333.16131 & 333.16263) & adds sec. 16338 & pt. 179.

(Reported by Committee on Health Policy.)

(For proposed House substitute (H-2), see Blue Book.)

—— 148 ————

#### SB 479 Sen. North

Income tax; credit; physicians with primary care practices in medically underserved areas; provide credit.

Amends 1967 PA 281 (MCL 206.1 - 206.532) by adding sec. 266.

(Reported by Committee on Health Policy.)

(For proposed House substitute (H-4), see Blue Book.) (For Senate substitute (S-8), see Blue Book.)

\_\_\_\_\_ 149 \_\_\_\_\_

# †(Not eligible for passage until September 27.)

HB 6034 Rep. Gire

Children; protection; central registry of child abusers; establish and provide access to children's protective services. Amends sec. 7 of 1975 PA 238 (MCL 722.627).

(Reported by Committee on Human Services and Children.)

(For proposed House substitute (H-1), see Blue Book.)

\_\_\_\_ 150 \_\_\_\_\_

# SB 869 Sen. Byrum

Vehicles; license plates; specialty plate for lighthouses; provide for.

Amends 1949 PA 300 (MCL 257.1 - 257.923) by adding secs. 811d & 811e.

(Reported by Committee on Transportation.)

(For proposed House substitute (H-1), see Blue Book.)

— 151 ———

#### HB 5906 Rep. Schauer

Businesses; nonprofit corporations; certain minors to serve on board of directors of certain nonprofit corporations; allow.

Amends 1982 PA 162 (MCL 450.2101 - 450.3192) by adding sec. 501a.

(Reported by Committee on Commerce.)

(For proposed House substitute (H-2), see Blue Book.)

# SB 1149 Sen. Schuette

Occupations; accounting; experience requirements; revise.

Amends sec. 725 of 1980 PA 299 (MCL 339.725).

(Reported by Committee on Commerce.)

(For proposed House substitute (H-2), see Blue Book.) (For Senate substitute (S-1), see Blue Book.)

#### SECOND READING

— 153 —

#### SB 209 Sen. Van Regenmorter

Probate; wills and estates; probate code revision; enact new "estate settlement act" and repeal revised probate code.

Creates new act and repeals (See bill).

(Reported by Committee on Judiciary.)

(For proposed House amendments, see House Journal No. 73, p. 2130.)

(For Senate amendment, see Senate Journal No. 16, p. 167.)

— 154 ———

# SB 625 Sen. Bennett

Traffic control; driver license; immobilization of vehicle for operating without a license and issuance of restricted registration plates; allow.

Amends secs. 217, 219, 233, 732 & 904 of 1949 PA 300 (MCL 257.217 et seq.) & repeals sec. 904b of 1949 PA 300 (MCL 257.904b).

(Reported by Committee on Judiciary.)

(For proposed House substitute (H-3), see Blue Book.) (For Senate substitute (S-1), see Blue Book.)

<del>\_\_\_\_\_ 155 \_\_\_\_\_</del>

# HB 5794 Rep. Rocca

Social services; benefits; drug testing as benefit eligibility requirement; provide for.

Amends sec. 57b of 1939 PA 280 (MCL 400.57b).

(Reported by Committee on Human Services and Children.)

(For proposed House substitute (H-3), see Blue Book.)

# $\dagger$ (Not eligible for passage until September 27.)

HB 6047 Rep. Brackenridge

Single business tax; credit; credit for the cost paid to purchase equipment to process recyclable materials; provide for

Amends 1975 PA 228 (MCL 208.1 - 208.145) by adding sec. 39c.

(Reported by Committee on Tax Policy.)

(For proposed House substitute (H-3), see Blue Book.)

— 157 ——

# †(Not eligible for passage until 5 days after printing.)

HB 6172 Rep. Wojno

Single business tax; credit; credit for the installation costs for equipment to process recyclable materials; provide for.

(Reported by Committee on Tax Policy.)

(For proposed House substitute (H-1), see Blue Book.)

# SB 776 Sen. V. Smith

Property tax; tax sales; sales of tax liens; allow. Amends sec. 107 of 1893 PA 206 (MCL 211.107).

(Reported by Committee on Tax Policy.) (For Senate substitute (S-1), see Blue Book.)

— 159 ——

SB 778 Sen. V. Smith

Local government; financing; sale of tax liens; allow.

(Reported by Committee on Tax Policy.)

(For Senate substitute (S-1), see Blue Book.)

<del>------</del> 160 ------

†(Not eligible for passage until September 27.)

**SB 1266** Sen. Steil

Property tax; exemptions; certain charitable trusts; exempt.

Amends sec. 70 of 1893 PA 206 (MCL 211.70).

(Reported by Committee on Tax Policy.)

# †(Not eligible for passage until September 26.)

**HB** 6035 Rep. Gire

School aid; other; reimbursement of certain funds received by individuals or private entities pursuant to contract with district; require under certain circumstances.

Amends 1979 PA 94 (MCL 388.1601 - 388.1772) by adding sec. 165.

(Reported by Committee on Education.)

(For proposed House substitute (H-4), see Blue Book.)

#### MESSAGES FROM THE GOVERNOR

— 162 ———

**HB** 4052 Rep. Anthony

Retirement; state police; retirement benefits for certain conservation officer retirants and beneficiaries of those retirants; provide for a minimum benefit and a 1-time supplement under certain circumstances and increase the minimum duty death retirement allowances under certain circumstances.

Amends sec. 27, 1943 PA 240 (MCL 38.27) & adds secs. 48a & 48b.

(Vetoed by Governor on July 1, 1997; passed for day July 2, 1997.)

(For veto message, see House Journal No. 63 of 1997, p. 1570.)

**HB** 4049 Rep. Anthony

Natural resources; other; prescribed burns; require department of natural resources to provide notification and a public hearing prior to a burn.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by

(Vetoed by Governor on December 1, 1997; passed for day December 2, 1997.)

(For veto message, see House Journal No. 92 of 1997, p. 2443.)

**HB 4509** Rep. Dobb

Use tax; exemptions; uncollectible account exemption

for telecommunication services; provide for.
Amends 1937 PA 94 (MCL 205.91 - 205.111) by adding sec. 8.

(Vetoed by Governor on December 1, 1997; passed for day December 2, 1997.)

(For veto message, see House Journal No. 92 of 1997, p. 2443.)

#### MESSAGES FROM THE GOVERNOR

**HB** 4642 Rep. Profit

Sales tax; exemptions; fuel used to move gas through pipelines; exempt.

Amends sec. 4a of 1933 PA 167 (MCL 205.54a).

(Vetoed by Governor on December 29, 1997; passed for day January 14.)

(For veto message, see House Journal No. 1, p. 2.)

**HB** 4643 Rep. Perricone

Use tax; exemptions; fuel used to move gas through pipelines; exempt.

Amends sec. 4 of 1937 PA 94 (MCL 205.94).

(Vetoed by Governor on December 29, 1997; passed for day January 14.)

(For veto message, see House Journal No. 1, p. 2.)

HB 5223 Rep. Schroer

Economic and industrial development; plant rehabilitation; certain filing requirements; waive under certain circumstances.

Amends sec. 9 of 1974 PA 198 (MCL 207.559).

(Vetoed by Governor on March 3; passed for day **March 10.**)

(For veto message, see House Journal No. 23, p. 405.)

\_\_\_\_ 168 \_\_\_\_\_

**HB** 5583 Rep. Gubow

Aeronautics; other; prohibit general discrimination based on race, religion, national origin, gender, ancestry, or familial relationship.

Amends secs. 20c & 24a of 1945 PA 327 (MCL 259.20c & 259.24a) & adds ch. IA & sec. 20d.

(Vetoed by Governor on May 6; passed for day May

(For veto message, see House Journal No. 44, p. 958.)

HB **5358** Rep. Profit

> Taxation; state real estate transfers; tax exemption for certain religious establishments; provide for.

Amends sec. 6 of 1993 PA 330 (MCL 207.526).

(Vetoed by Governor on May 14; passed for day May 19.)

(For veto message, see House Journal No. 47, p. 1061.)

**HB** 5589 Rep. Bobier

Appropriations; environmental quality; department of environmental quality; provide for fiscal year 1998-1999.

(Approved by Governor with line items veto July 27; passed for day September 15.)

(For line items veto message, see House Journal No. 69, p. 1935.)

HB 5590 Rep. Jansen

Appropriations; family independence agency; family independence agency; provide for fiscal year 1998-1999.

(Approved by Governor with line items veto July 27; passed for day September 15.)

(For line items veto message, see House Journal No. 69, p. 1936.)

#### MESSAGES FROM THE GOVERNOR

**- 172 -**

### HB 5594 Rep. Jellema

Appropriations; transportation; state transportation department; provide for fiscal year 1998-1999.

(Approved by Governor with line items veto July 27; passed for day September 15.)

(For line items veto message, see House Journal No. 69, p. 1937.)

#### **NOTICES**

Motion to discharge **House Joint Resolution W** from the Committee on Constitutional and Civil Rights by Rep. Kaza passed for day July 2, 1997.

Motion to discharge **House Joint Resolution C** from the Committee on Judiciary by Rep. Raczkowski passed for day October 30, 1997.

Motion to discharge **House Bill No. 5420** from the Committee on Judiciary by Rep. Nye passed for day March 31, 1998.

Motion to discharge **Senate Bill No. 1079** from the Committee on Tax Policy by Rep. Perricone passed for the day September 22, 1998; roll call vote ordered on discharge motion.

Motion to discharge **Senate Bill No. 1080** from the Committee on Tax Policy by Rep. Cassis passed for the day September 22, 1998; roll call vote ordered on discharge motion.

Motion to discharge **Senate Bill No. 1081** from the Committee on Tax Policy by Rep. Goschka passed for the day September 22, 1998; roll call vote ordered on discharge motion.

Motion to discharge **Senate Bill No. 1083** from the Committee on Tax Policy by Rep. Brackenridge passed for the day September 22, 1998; roll call vote ordered on discharge motion.

#### **NOTICES**

Motion to discharge **House Concurrent Resolution No. 114** from the Committee on House Oversight and Ethics by Rep. McManus passed for the day September 23, 1998; roll call vote ordered on discharge motion.

Motion to discharge **Senate Bill No. 113** from the Committee on Judiciary by Rep. Geiger passed for the day September 23, 1998; roll call vote ordered on discharge motion.

#### STANDING COMMITTEE MEETINGS

**Agriculture -** Thursday, September 24, 8:45 a.m., Room 424, Capitol Building

**Appropriations -** Thursday, September 24, 9:00 a.m., Room 351, Capitol Building

**House Oversight and Ethics -** Thursday, September 24, 9:00 a.m., Rooms 425 and 426, Capitol Building

**Regulatory Affairs -** Thursday, September 24, 8:30 a.m., Room 428, Capitol Building

**Tax Policy -** Thursday, September 24, 9:00 a.m., 9th Floor Conference Room, Romney Building

**Transportation -** Thursday, September 24, 11:00 a.m. or after committees are given leave by the House to meet, whichever time is later, Room 428, Capitol Building

#### STATUTORY COMMITTEE MEETING

**Michigan Trial Court Assessment Commission -** Friday, October 9, 10:00 a.m., 8th Floor Conference Room, Farnum Building

		BILLS IN CONFERENCE			
Bill No.	Brief Title	Conferees		Report Agreed to	
		House	Senate	House	Senate
HB 4738	Trade; vehicles	Alley	Schuette		
		Griffin	Cisky		
		Rhead	Peters		
HB 4740	Trade; vehicles	Alley	Schuette		
		Griffin	Cisky		
		Rhead	Peters		
HB 5424	Education; discipline	Gire	Stille		
	, 1	Schauer	Emmons		
		Dalman	Peters		
HB 5857	Judges retirement;	Ciaramitaro	Steil		
	tier 2 contribution plan	DeHart	Van Regenmorter		
	<u>.</u>	Rhead	Conroy		
SB 181	Mental health; patients	Baird	Van Regenmorter		
	Wentar hearth, patients	Gubow	Rogers		
		Scranton	Peters		
SB 313	Education; discipline	Gire	Stille		
		Schauer	Emmons		
		Dalman	Peters		
SB 514	Insurance; health	Gubow	Shugars		
		Basham	Schwarz		
		Llewellyn	Byrum		